PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, AUGUST 14, 19 79

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening August 14 A.D., 19 79, in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES ✓, NUCKOLS A, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,
ABSENT

COUNCILMAN , , ,
, , ,

The invocation was given by

Received report from the City Controller for the month of , 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular Session July 10, 19 79,
, 19 ,
Special , 19 ,
Session having been delivered to the Council, were, on motion, approved and published.

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, TO BE HELD MONDAY, AUGUST 27, 1979 - 7:00 P.M. TO BE HELD IN THE COMMON COUNCIL CHAMBERS - ROOM 126

We, the undersigned, being all of the members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on Monday, August 27, 1979 at 7:00 o'clock P., E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose appropriating money for the purpose of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana, for the fiscal year beginning January 1, 1980, and ending December 31, 1980, including all outstanding claims and obligations and fixing a time when the same shall take effect -- Bill No. A-79-08-02, for action and passage and fixing the tax levy for the City of Fort Wayne for the year 1980 -- Bill No. S-79-08-03 for action and passage.

Vivian G. Schmidt

Frederick R. Hunter

[illegible]

James S. Stier

Paul M. Burns

[illegible]

William T. Fraga

John Nuckols

Samuel J. Talarico

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

DATED THIS 14th day of August, 1979

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 50/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 50/79/E)

I hereby certify that I did this 28th day of June, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 50/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Cooner

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 50/79/E

(Adopted June 28, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 27, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective June 28, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Main St. -- north side -- from Calhoun St. to Ewing St.

8-10-79
DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 55/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 55/79/E)

I hereby certify that I did this 31st day of July, 19 79 deliver to each, the City Traffic Engineer; the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 55/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Terry Cooman

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 55/79/E

(Adopted July 31, 19 79)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated July 27, 19 79, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 31, 19 79, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING EMERGENCY

Barr St. -- west side -- from Superior St. to Freiman Park Parking Lot Entrance

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 56/79/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

8-14-79
DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 56/79/E)

I hereby certify that I did this 14th day of August, 1979 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 56/79/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Jerry Coonan
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 56/79/E

(Adopted August 14, 1979)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTIONS (EMERGENCY)

_____

_____

_____

_____

_____

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 9, 1979, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 14, 1979, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Industrial Rd. -- stop -- for Ley Rd.

Columbia Ave. -- stop -- for Pemberton Dr.

Pemberton Dr. -- stop -- for Tilden Ave.

THE CITY OF FORT WAYNE
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
office of the mayor

DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY

August 1, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 1, 1979, I have approved the following ordinance passed by the Common Council at its special meeting on July 31, 1979.

(Bill No. S-79-07-24)
SPECIAL ORDINANCE NO. S-130-79

AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1980.

Respectfully yours,

Robert E. Armstrong
Mayor

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THE CITY OF FORT WAYNE
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
office of the mayor

MADE A MATTER OF RECORD
DATE 8-14-79
WESTERMAN, CITY CLERK

July 31, 1979

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, July 31, 1979, I have approved the following ordinances passed by the Common Council at its regular meeting on July 24, 1979.

(Bill No. A-79-07-01)
APPROPRIATION ORDINANCE NO. A-11-79

AN ORDINANCE appropriating additional funds from the Aviation General Fund No. 120 to the 1979 Budget of the Board of Aviation Commissioners

(Bill No. S-79-07-25)
SPECIAL ORDINANCE NO. S-115-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BONDS (HOOVER UNIVERSAL, INC. PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-79-07-03)
SPECIAL ORDINANCE NO. S-116-79

AN ORDINANCE approving an Agreement to Purchase Real Estate from Eugen A. Bondarenko for the Board of Public Works

(Bill No. S-79-07-04)
SPECIAL ORDINANCE NO. S-117-79

AN ORDINANCE approving a contract between Commercial Warehouse and Cartage, Inc. and the City of Fort Wayne by and through its Department of Public Safety for Fire protection

(Bill No. S-79-07-05)
SPECIAL ORDINANCE NO. S-118-79

AN ORDINNANCE approving a contract between Zollner Corporation and the City

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of Fort Wayne by and through its Department of Public Safety for Fire protection

(Bill No. S-79-07-23)
SPECIAL ORDINANCE NO. S-119-79

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (WAYNE HARDWARE COMPANY, INC.)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-79-07-44)
RESOLUTION NO. R-35-79

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $1,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. Z-79-05-08)
ZONING MAP ORDINANCE NO. Z-19-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-31

(Bill No. G-79-05-11)
GENERAL ORDINANCE NO. G-17-79

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Garfield Street

(Bill No. S-79-07-12)
SPECIAL ORDINANCE NO. S-120-79

AN ORDINANCE approving a contract for Sidewalk Improvement Resolution No. 5829-79, between the City of Fort Wayne, Indiana and Hipskind Concrete Corporation, Contractor for Oxford Neighborhood Phase IV and LaRez Neighborhood Phase II

(Bill No. S-79-07-13)
SPECIAL ORDINANCE NO. S-121-79

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5835,79, between the City of Fort Wayne, Indiana and Spears-Dehner, Inc., Contractor for improvement of Fernhill Avenue

(Bill No. S-79-06-30)
SPECIAL ORDINANCE NO. S-122-79

AN ORDINANCE approving Sewer Contract No. 304-78, between the City of Fort Wayne, Indiana and Ground Services, Inc. for Covington Rd./Ardmore Ave. Area

(Bill No. S-79-07-14)
SPECIAL ORDINANCE NO. S-123-79

AN ORDINANCE approving Change Order No. 1, Sewer Improvement Resolution No. 878-79, in connection with Ludwig Park Sanitary Sewer, Division II

(Bill No. S-79-07-15)
SPECIAL ORDINANCE NO. S-124-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 878-79, between the City of Fort Wayne, Indiana and L.W. Dailey, Inc., Contractor for Ludwig Park Area Sanitary Sewer, Division I

(Bill No. S-79-07-16)
SPECIAL ORDINANCE NO. S-125-79

AN ORDINANCE approving a contract for Sewer Improvement Resolution No. 878-79, between the City of Fort Wayne, Indiana and T & G Excavating, Inc., Contractor for Ludwig Park Area Sanitary Sewer, Division II

(Bill No. S-79-07-17)
SPECIAL ORDINANCE NO. S-126-79

AN ORDINANCE approving a contract for Water Contract #7903, between the City of Fort Wayne, Indiana and Fox Contractors Corporation, for construction of water main

(Bill No. S-79-07-18)
SPECIAL ORDINANCE NO. S-127-79

AN ORDINANCE approving Change Order No. 1, Street Light Improvement Resolution No. 134-78 in connection with Victoria Park addition Ornamental Street Lighting Project

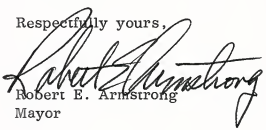
(Bill No. S-79-07-19)
SPECIAL ORDINANCE NO. S-128-79

AN ORDINANCE approving City Utilities Purchase Order No. 1168 with Murray Equipment for gas pump for City Utilities Garage

(Bill No. S-79-07-20)
SPECIAL ORDINANCE NO. S-129-79

AN ORDINANCE approving City Utilities Purchase Order No. 1166 with I.B.M. Corporation for lease of equipment for the Data Processing Department

Respectfully yours,



Robert E. Armstrong
Mayor

DATE 8-14-79 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-06-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of July 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held July 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-79-06-06

2. From R-2, R-3, B-1-B & B-3-B to R-1

3. Intended Use: Single Family Residences

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. This proposed zoning change will more accurately reflect the existing land use of the neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

DATE 8-14-79 MADE A MATTER OF ... CHARLES W. ...

25 July 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-06- 25

Respectfully submitted,

Certified and signed this
25th day of July 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-06-25

2. From R1 & RA to R3

3. Intended Use: Albion Production Credit Association Office

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. This proposed zoning is not compatible with the existing character of the neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-06-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to anc conflicts with the overall City Plan; and,

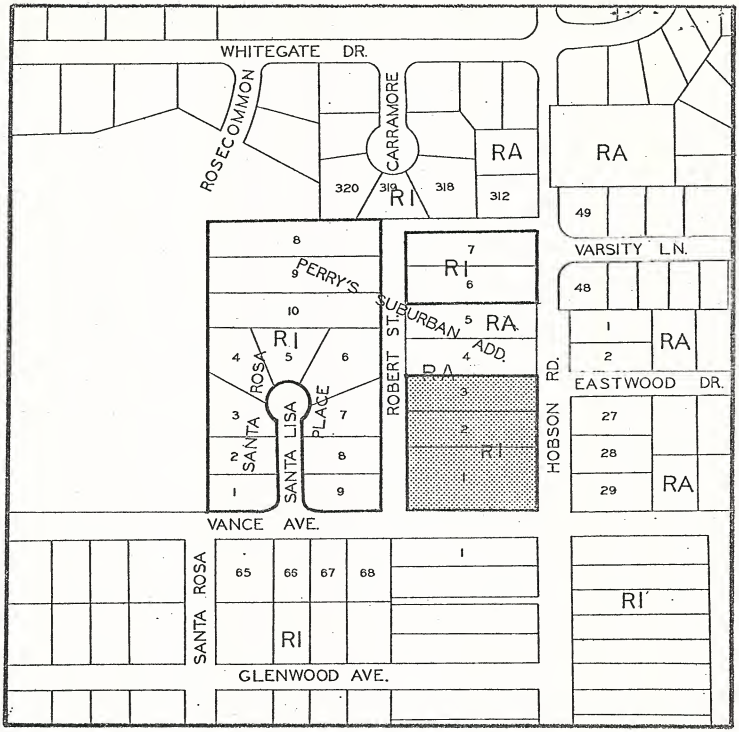
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1979.

Certified and signed this
25th day of July 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



CHANGE FROM RA & RI TO R3

Map No. Q22

N

Z-79-06-25

PREPARED BY R.K.

DATE 12 JUNE 79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

DATE 7-14-79 MADE A MATTER OF RECORD CHARLES W. WESTERMAN, CITY CLERK

25 July 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-06-07

Respectfully submitted,

Thomas G. Adams

Thomas G. Adams
Secretary

Certified and signed this
25th day of July 1979.

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-06-07

2. From R1 to R2

3. Intended Use: Duplexes

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. This would be spot zoning.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-06-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to anc conflicts with the overall City Plan; and,

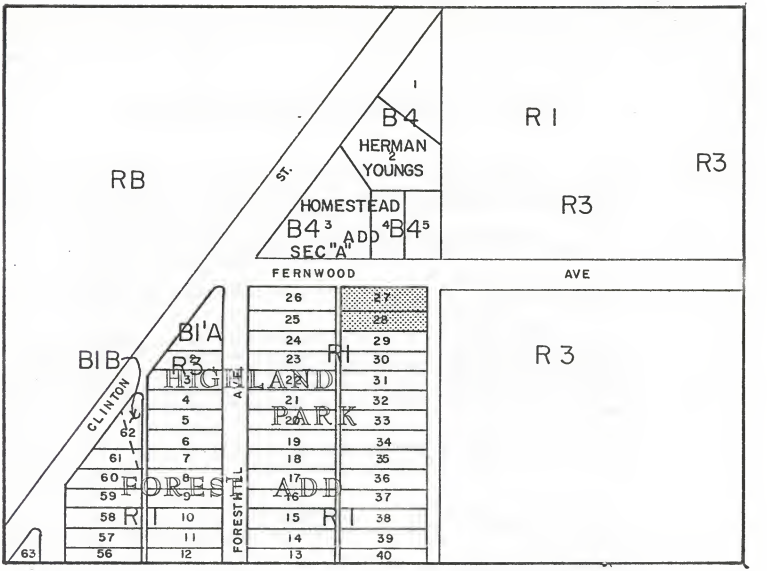
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1979.

Certified and signed this
25th day of July 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



Map No. N-26

N

Z-79-06-07

PREPARED BY R.K.

DATE 22 MAY 1979

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of City Plan Commission on one (1) ordinance concerning the vacation of a portion of a dedicated street.

The proposed ordinance is designated as:

Bill No. G-79-07-11

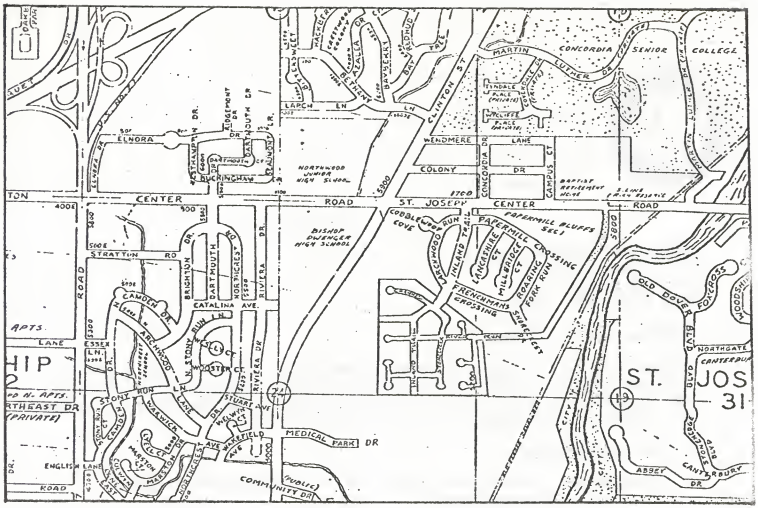
Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of July 1979.

Thomas G. Adams

Thomas G. Adams
Secretary



STREET RIGHT OF WAY VACATION

MAP NO. P-34

N

G-79-07-11

DRAWN - JUNE 29, 1979

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 July 1979

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held July 23, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-07-11

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

River Run Place

RESOLUTION NO. 68-12-4

WHEREAS, GENE B. GLICK COMPANY, INC., and HAROLD PALMER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #79-12235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING; continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement", (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement", thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on acount of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held August 8 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 8th DAY OF August 19 79

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max G. Scott, Member

RESOLUTION

WHEREAS, GENE B. GLICK COMPANY, INC., and HAROLD PALMER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

Part of a certain "50 foot public roadway easement", as set out in the platting of "The Woodlands of Riverside" as recorded in Plat Book 39, pages 78 thru 80 in the Office of the Recorder of Allen County, Indiana, which part is that traversing through land set out in deed recorded May 10, 1979 as Instrument #79-12235, Gene B. Glick Company, Inc., grantee, along with a portion of said "50 foot public roadway easement" lying South of the said Glick land being more particularly described as follows:

Commencing at the Northwest corner of Section 19, Township 31 North, Range 13 East in Allen County, Indiana; thence South 00 degrees 37 minutes West along the West line of the said Section 19 a distance of 45.0 feet to the South right of way line of St. Joseph Center Road; thence South 89 degrees 50 minutes East along the said South right of way line, which line is the North line of the said land set out in Deed to Gene B. Glick Company, Inc., 1397 feet to the West line of the said "50 foot public roadway easement", which is the PLACE OF BEGINNING; continue thence South 89 degrees 50 minutes East along the said South right of way line 50.0 feet to the East line of the said "50 foot public roadway easement", (the next 5 described lines are along the said East line); thence South 0 degree 10 minutes West a distance of 35.0 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 91.70 feet subtended by a chord of 91.19 feet with a bearing of South 10 degrees 20 minutes East; thence South 20 degrees 51 minutes East a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 222.53 feet subtended by a chord of 217.46 feet with a bearing of South 0 degree 36 minutes East; thence South 21 degrees 39 minutes West a distance of 625.72 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence South 21 degrees 39 minutes West 271.24 feet; thence North 68 degrees 21 minutes West 50.00 feet to the West line of the said "50 foot public roadway easement", thence North 21 degrees 39 minutes East 271.27 feet to the South line of the said land set out in Deed to Gene B. Glick Company, Inc.; continue thence North 21 degrees 39 minutes East 625.68 feet; thence on a curve to the left having a radius of 250.0 feet a distance of 185.44 feet subtended by a chord of 181.22 feet with a bearing of North 0 degree 36 minutes West; thence North 20 degrees 51 minutes West a distance of 55.0 feet; thence on a curve to the right having a radius of 300.0 feet a distance of 110.04 feet subtended by a chord of 109.43 feet with a bearing of North 10 degrees 20 minutes West; thence North 0 degree 10 minutes East a distance of 35.0 feet to the PLACE OF BEGINNING.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 16, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should

prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said public street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Thomas G. Adams, Secretary pf the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 16, 1979 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF July 19 79

FORT WAYNE CITY PLAN COMMISSION

Thomas G. Adams

Thomas G. Adams
Secretary

Memorandum

To Members of the Common Council Date 25 July 1979

From John Stafford - Community Development & Planning JS

Subject Highview Annexation

COPIES TO:

Paul Burns
William Hinga
Fred Hunter
Winfield Moses
John Nuckols
Donald Schmidt
Vivian Schmidt
James Stier
Sam Talarico
Charles Westerman
John Logan
Ken Scrogham
File: ✓

Attached is a copy of the Highview Annexation Fiscal Plan and a resolution from the City Plan Commission recommending a DO PASS for this annexation, Bill No. X-77-07-45.

As you may recall, portions of the Indiana annexation law, I.C. 18-5-10-25 have been revised. The revisions will be effective on September 1, 1979. Therefore, our Department suggests that modifications be made to Sections 2 and 3 of the Highview Annexation Ordinance to make them conform to the newly revised state annexation law.

To permit the Council to clearly see the proposed changes, we have attached in addtion to the original annexation ordinance, a document showing the changes to the proposed original ordinance. Sections 2 and 3 are crossed out and the suggested new versions included in a different type face.

As with Concordia Gardens Annexation, there is a separate resolution setting forth the policy of the City in regard to the annexation of the Highview area. This resolution will clearly link the proposed general annexation resolution with the annexation fiscal plan.

/pb

DATE - MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF THE CITY PLAN COMMISSION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, referred a proposed annexation for the HIGHVIEW area, Bill No. X-77-07-45; and,

WHEREAS, the City Plan Commission reviewed such proposed ordinance and fiscal plan on July 23, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City outweigh the disadvantages, the annexation will be in the best interest of and benefit to the area involved and of and to the City, the area is urban in character and the City would continue to realize an active growth from the standpoint that development has already taken place around the City, and the annexation will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council.

This is to certify that the above resolution was adopted at the meeting of the City Plan Commission held July 23, 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

Certified and signed this 30th day of July 19 79.

Bill No. X-77-07-45

ANNEXATION ORDINANCE NO. X-_____

An ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the east right-of-way line of Huguenard Road and south right-of-way line of Washington Center Road; thence east along south right-of-way line of Washington Center Road to the northeast corner of Lot #29 Highview Park Addition as recorded in Plat Book 16, Page 9, in the office of the Recorder of Allen County, Indiana; thence south along east line of said Highview Addition to its intersection with the southeast corner of Lot #7 in said Highview Addition, this line being the present Corporate Limit; thence east along a line parallel to centerline of Washington Center Road to the intersection of the northerly right-of-way of Interstate #69; thence northeasterly along the north right-of-way of Interstate #69 to the east right-of-way of Hatfield Road; thence south along the east right-of-way line of Hatfield Road to the north right-of-way line of Burban Street; thence east along north right-of-way line of Burban Street to the west right-of-way line of Penn-Central R.R.; thence south along west right-of-way line of Penn Central R.R. to the south right-of-way line of Arthur Street; thence west along right-of-way line of Arthur Street to the east right-of-way line of Hatfield Road; thence south on the east right-of-way line of Hatfield Road to the north right-of-way line of U.S. #30 and #33; thence on a line projected northwesterly to the intersection of the east right-of-way line of Highview Drive and the north right-of-way line of U.S. #30 and #33; thence continuing northwesterly along the north right-of-way of U.S. #30 and #33 to the east right-of-way of Huguenard Road; thence north along the east right-of-way line of Huguenard Road to the south right-of-way of Washington Center Road to the point of beginning. An area approximately 195 acres.

~~Section 2.--It is the policy of the City of Fort Wayne to furnish the above described territory within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city or other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.~~

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar

topography patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

~~Section 2.--Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.~~

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty days after final publication thereof as required by law.

_____

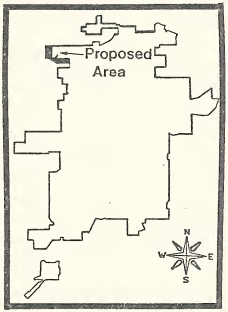
Councilperson

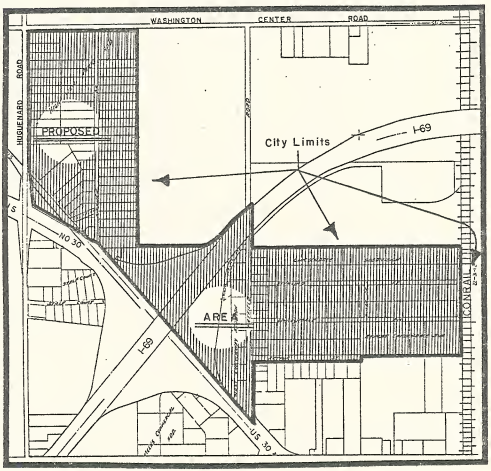
APPROVED AS TO FORM AND LEGALITY_____

City Attorney

HIGHVIEW ANNEXATION

bill no. X-77-07-45





City of Fort Wayne: Dept. of C. D. & P.

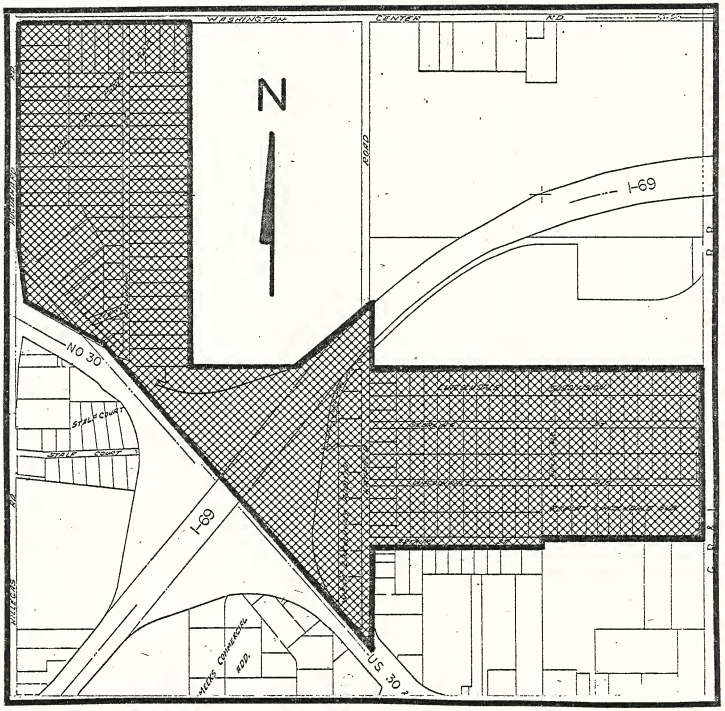
INTRODUCTION

The Highview annexation area is located northwest of Fort Wayne in Washington Township. Nearly 40 percent of the area consists of residential development. A large portion of the annexation area also contains the I-69 and U.S. 30 interchange. This annexation area meets the necessary contiguity and subdivision requirements of the State law. Forty-four percent of Highview's boundaries are contiguous with the corporate limits, only 12.5 percent is required. Also, 66.6 percent of the total annexation area is subdivided. State law requires only 60 percent of an area be subdivided.

The Highview annexation area is one of several possible annexations in the suburban area northwest of the City. Its inclusion in the City would provide a more logical City boundary on the north and west sides of the area than what presently exists. This would allow for more ease and efficiency in providing municipal services. Furthermore, the annexation of Highview is necessary for the City to annex other areas in Washington Township.

This study conforms to the annexation planning standards now in use by the City. It describes the area, sets forth a plan for providing municipal services, analyzes the financial impact of annexation upon the City, and recommends a course of action.

ANNEXATION AREA



BASIC DATA

1. Location

Generally located northwest of the city of Fort Wayne in Section 21 of Washington Township. More particularily, the site is located north of Coliseum Blvd., south of Washington Center Road, east of Huguenard Road, and west of the Conrail tracks.

2. Size

The area encompasses approximately 195 acres or 0.3 square miles.

3. Population/Density

Using the 1970 census tract density figures of 3.43 persons per dwelling unit, an estimated population of the area was derived. 114 dwelling units times the 3.43 factors gives an estimated population for the area of 391 people.

4. Buildings

Residential	Number	Condition
Single family homes	112	Poor-Excellent
Mobile homes	2	Fair
Commercial*	4	Poor-Excellent
Industrial*	3	Good-Excellent

5. Land Use

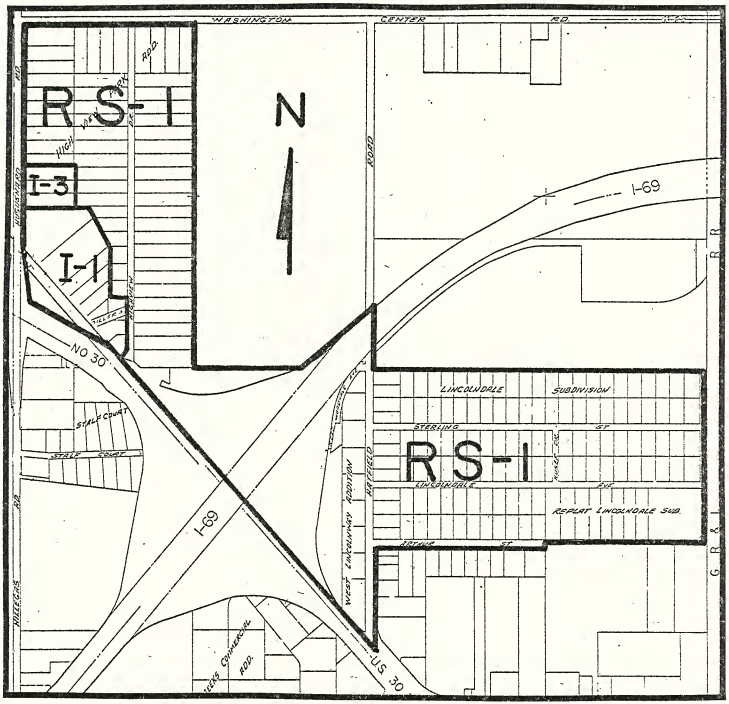
	Acres	Percent
Undeveloped	21.5	11
Streets	86.62	44.42
Residential	75.77	39
Commercial	10.89	5.6
Industrial	.26	.4
	195.0	

6. Zoning (see zoning map)

County Zone	Percent	Description	City Zone	Description
RS-1	91.36	Single Family Suburban Res.	R-1	Single Family Residential
I-1	7.23	Light Industrial	M-1	Light Industrial
I-3	1.41	Heavy Industrial	M-2	Heavy Industrial

* For Commercial & Industrial establishments, the number of buildings does not include acessory buildings.

COUNTY ZONING



7. Planning

The Highview annexation area consists predominately of residential structures and streets and highways. The reason that 44 percent of the area contains roads is because of the I-69 and U.S. 30 interchange. Forty-four percent of the annexation is also contiguous to the present City limits. An area on the south side of Highview is presently being annexed. When this annexation becomes final, 62 percent of Highview will be contiguous to the City. The Highview area is a needed link to future annexation areas north and northwest of the site which are needed for future development of the City.

Highview is already a part of the Fort Wayne community. Access to Glenbrook shopping center and other parts of the City is easily available from Coliseum Blvd. and Washington Center Road. It is also part of the Fort Wayne Community School System, and contains some City sanitary sewer lines. In addition, the Fort Wayne Water Department is planning to place a 16 inch water line along the north side of Highview during the summer of 1979.

A pressing need in the Highview area is the need for sanitary sewers. The Allen County Board of Health has stated that unless the area receives sanitary sewers, the residents will be required to upgrade their private systems. The requirement to upgrade them could come by the summer of 1980. The Board of Health recommended that the area receive sanitary sewers in view of the dense population of the area and the extensive repairs that will be necessary for all households to make. If annexed, residents would be eligible to receive Barrett Bonding for the project. Barrett Bonding offers long term, low interest financing which can be a significant benefit for households who need sanitary sewers such as the Highview area residents do.

Other needed capital improvements such as street reconstruction or street lighting, requires resident petitioning and financial participation. The City has no plans to treat these requests any differently after annexation than requests from other areas of the City.

State law requires that planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services which are normally provided within the existing corporate boundaries, will be provided to the annexed area within one (1) year from the effective date of annexation. The services must be provided in a manner which is equivalent in standard and scope to those non-capital services provided in the City which have similar topography patterns of land utilization and population density. (IC 18-5-10-25)

The State law also requires that services of a capital improvement nature such as street construction, street lighting and so on, will be provided to the annexed area within three (3) years of the effective date of the annexation. These capital improvements must be made in the same manner as those services which are provided to similar areas within the City. (IC 18-5-10-25)

In 1970, the Fort Wayne City Council adopted Resolution No. R-83-70 (Bill No. R-7007-24) that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-83-70 while conforming to existing laws, rules, and regulations. See page 19 .

Municipal services are analyzed in terms of the needs of the Highview annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the Highview area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new street lighting, the standard service provision process will be used just as it is used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include resident petitioning and financial participation as well as the routine capital improvement procedures of the City. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in the Highview annexation area are presented in the following reports.

a. Police

The Fort Wayne Police Department will become responsible for servicing the Highview area immediately upon annexation. This service generally includes the prevention and detection of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of conflicts among family, friends, and neighbors, and the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

The Highview area has been analyzed by the Police Department and an estimate made of the cost of providing service to the area. First, the location and size of the area was considered to determine how frequently squad cars would be through the annexation area. The general character of the area was considered relative to similar areas within the City to estimate a likely number of service calls. It was determined that the average number of daily police trips into the area would be seven (7) trips a day. Calculating the cost of personnel and equipment used, the annual cost to the City to provide service to this annexation area would be $9,037.00. No additional personnel is required to provide these services.

Regardless of the actual cost, the Police Department will provide the area with service substantially equivalent to that provided similar areas within the City.

Funding for police service will come from local taxes, although any funds allocated to the General Fund can be used.

ANNUAL COST $9,037

b. Fire

The Fort Wayne Fire Department will provide service to the Highview area immediately upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials, and personnel to the proposed annexation area as it responds to similar locations within the City. Station 6, located on West Coliseum Blvd. will be the first fire station to respond to the Highview area. Additionally, the Fire Department has equipment to serve the homes that are not on city water. Given these facts, it is the view of the Fort Wayne Fire Chief that fire protection after annexation will be adequate.

Since service is already being provided to bordering areas east of Highview, there should be no problems extending service to the area immediately upon annexation. This annexation would not require additional personnel, equipment nor fire stations. The only costs would be the operating cost shown below, which were computed using housing density and average run figures.

ANNUAL OPERATING COST: $148.

Funding for this service would come from the General Fund.

c. Emergency Medical Services (EMS)

Upon annexation, residents of Highview will have, at their convenience, full time Emergency Medical Services. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention. On certain runs, the Fort Wayne Fire Department will provide extra assistance.

EMS has recently relocated its ambulances in three city fire stations to more adequately serve the emergency medical needs of Fort Wayne residents. Highview will be served by a unit located at Fire Station 13 at the corner of Parnell and Coliseum. Response time for Highview will be no longer than to other areas of the City.

To calculate the cost of EMS coverage for the Highview area, a per capita fiscal impact analysis method was used. In 1977, EMS made .08 runs per person. With 391 residents in Highview, annexation should generate 32 runs a year. Since no new ambulances are required, the only costs are operational.

ANNUAL OPERATING COST: $800

This will be paid for out of the General Fund.

d. Solid Waste Collection

As soon as the Highview annexation area is annexed, the City will provide solid waste collection for residential units.

Under the City's current contract with National Serv-all, the cost of solid waste collection is $40.00 per household per year. With 114 dwelling units, the total cost will be $4,563. per year. If additional personnel are needed, they will be hired by the contractor.

ANNUAL OPERATING COSTS: $ 4,563.

Funding for this service comes from the General Fund.

e. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in this area upon annexation of the Highview area. Traffic control includes surveys and investigations of conditions and problems, the recommendation, and when possible, implementation of solutions, and the installation and maintenance of traffic control devices. Services for this area can be comparable to the City's one year after annexation.

Additional personnel will not be required for the Highview annexation area. Physical improvements scheduled to be made and their costs are listed below:

SIGNING:

Sign	Size	Number Required	Cost	Total Cost
Stop	30 x 30	2	$26.90	$53.80
Stop Ahead	30 x 30	1	28.70	28.70
Street Name	6 x 30	5	51.10	255.20
Speed Limit 30	24 x 30	6	22.20	133.20
Speed Limit 35	24 x 30	2	22.20	44.40
No Truck Symbol	24 x 24	1	18.60	18.40
Dead End	24 x 24	1	18.60	18.60
		18		$552.80

Posts	Size	Number Required	Cost	Total Cost
	12' 3 lb	11	$22.	$245.30
	12' 2 lb	6	16.	96.30
		17		$341.60

	Total Cost
Labor	$ 145.00
1 Fire Alarm	1,800.00
GRAND TOTAL	$2,839.40

Improvements are made according to priority and as funds become available. Other specific problems will be studied in depth after the annexation to determine the most workable solutions.

The sources of funding for the scheduled improvements and/or Traffic Engineering services are from the Real Estate taxes, Revenue Sharing Funds, and occassionally, Motor Vehicle Highway funds.

f. Street Lighting

Presently, there are no street lights located within the Highview annexation area. It is the goal of the City to light every unlit intersection in Fort Wayne. Therefore, the Highview area would require approximately nine lights. Listed below are the costs of standard intersection lights for Highview:

Capital Cost

Number of Poles	Unit Price	Cost
9	$550	$4,950

Operating Cost

	Number of Poles	Unit Price	Cost
Yearly maintenance	9	$ 8.67	$ 78.03
Yearly Energy	9	13.33	119.97
	TOTAL OPERATING COSTS:		$ 198.00
	TOTAL CAPITAL COSTS:		$4,950.00

These lights would be funded 100% by the City of Fort Wayne. Capital Costs would come from the Street Lighting Fund. The fund is composed of various combinations of Revenue Sharing monies, Light Lease Fund, General Fund, and property tax revenue and is subject to change from year to year. For our purposes, these Capital Costs will be attributed to the property tax revenue. (See Five Year Summary) Operating Costs would also be paid by the City.

If residents in the Highview annexation area desire additional street lighting, they must petition for it. Petitions will be treated equally with other areas of the City. Priority will be assigned to the areas based on need and filing date. The City of Fort Wayne would pay the costs as funding is secured.

If residents desire ornamental lighting, they must pay the difference between the capital cost of standard lighting and ornamental lighting. The City will still pay the operating costs for ornamental lighting.

g. Streets and Roads

The Street Engineering Department will provide engineering services and construction supervision of all streets, alleys, and sidewalks that would be constructed within the proposed annexation area.

This annexation will add 3.08 miles of streets to the City total. 2.68 miles are classified as residential streets, and the remaining .4 miles are classified as collector streets. No additional engineering personnel or equipment will be required.

General maintenance of these streets would be the responsibility of the City upon annexation. This service includes snow and ice removal, mowing along the roadside, leaf pick-up and surface maintenance. Chip and sealing of unimproved streets is included. Since there are .96 miles of unimproved streets in the annexation area, they will be placed on the list of streets to be chipped and sealed.

The average cost for general maintenance of streets is $2,500 per mile per year. Therefore, for this annexation area it will cost annually $7,700.

The source of funding for street maintenance is the Street Department Budget.

Improvements to the streets to meet City standards would cost $1,322,112.00. Such an undertaking requires a petition from the property owners of the area. The residents must also share in the expense of the project with the City. A petition from Highview residents to improve their streets would be treated equally with those from other areas of the City, and honored according to the same criteria such as filing date and amount of money available in any particular year. Barrett Bonding can be used by the residents to pay their share of the street project.

h. Parks

Residents of the Highview annexation area presently have access to City park facilities such as swimming pools, ball diamonds, picnic facilities, day camp and other facilities. Franke Park is located near Highview. Also, a funmobile stop is located adjacent to the north half of the annexation area. In addition to the use of existing facilities, the Park and Recreation Department will assume the maintenance of 40 existing street trees in Highview. There will be no need for additional personnel or equipment to provide these services.

Annual Operating Costs to maintain the existing trees are $245.00. The source of funding is from local property taxes.

There are no plans for developing additional park land. However, should the residents have curbs and sidewalks installed, street trees could be planted. However this would require additional personnel and equipment for the Park and Recreation Department.

i. Water

None of the area under consideration to be annexed is now served with City water. However, the Fort Wayne Water Utility has the capability of providing sufficient volumes of water to serve this area. The area can be served by the extension of water mains from existing distribution and/or feeder mains in close proximity. The extension of the water lines will be built when the property owners in the annexation area decide to petition for service. The property owners in the area must also finance the cost of water mains on either a cash basis, or with a mechanism similar to Barrett Bonding.

The Fort Wayne Water Utility has a proposed 16 inch water main along the north side of the annexation area. Construction of this line will begin in the summer of 1979.

j. Fire Hydrants

The Civil City of Fort Wayne pays the water utility of $151.20 annually for each fire hydrant located within the City. With no fire hydrants located in the area, there will be no annual costs for the City.

k. Sewers

The Fort Wayne Department of Water Pollution Control is presently serving a portion of the proposed annexation area. In addition, a sanitary sewerline is proposed to be constructed along Highview Drive. Refer to the sewer map on page 13. No immediate date has been determined for the proposed sewer line.

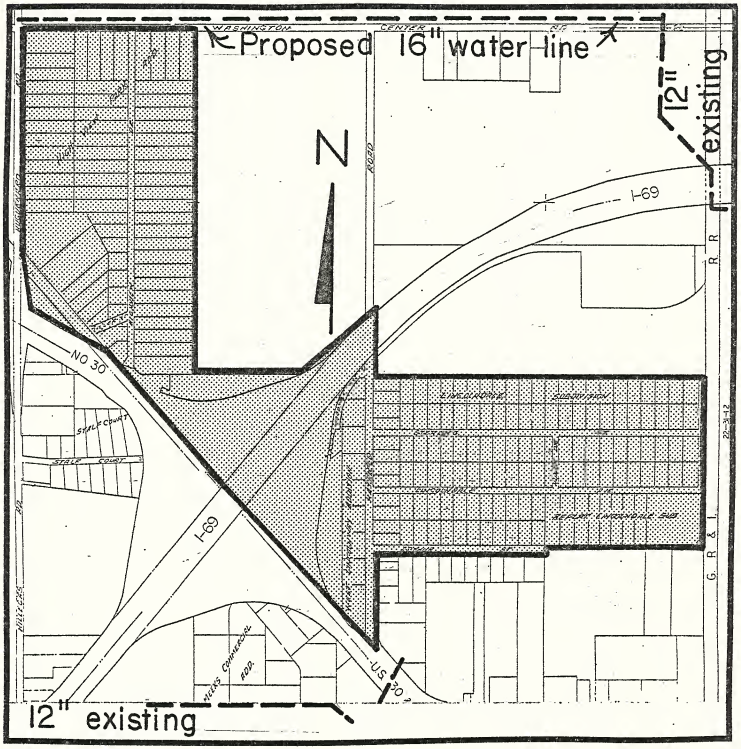
Although a portion of the proposed annexation area is served by public sewer, most of the area is nevertheless dependent upon private sewer disposal systems. If a sanitary sewer is not extended throughout this area in the near future, it will be necessary for residents in the area to make extensive repairs and up-grade their private sewage systems to comply with current sewer disposal requirements.[1]

The Fort Wayne Sewer Department can provide sewers to this area. Residents will have to petition for the project. They will also have to pay for the installation of sewers. This can be done before annexation, but after annexation, Barrett Bonding will be available.

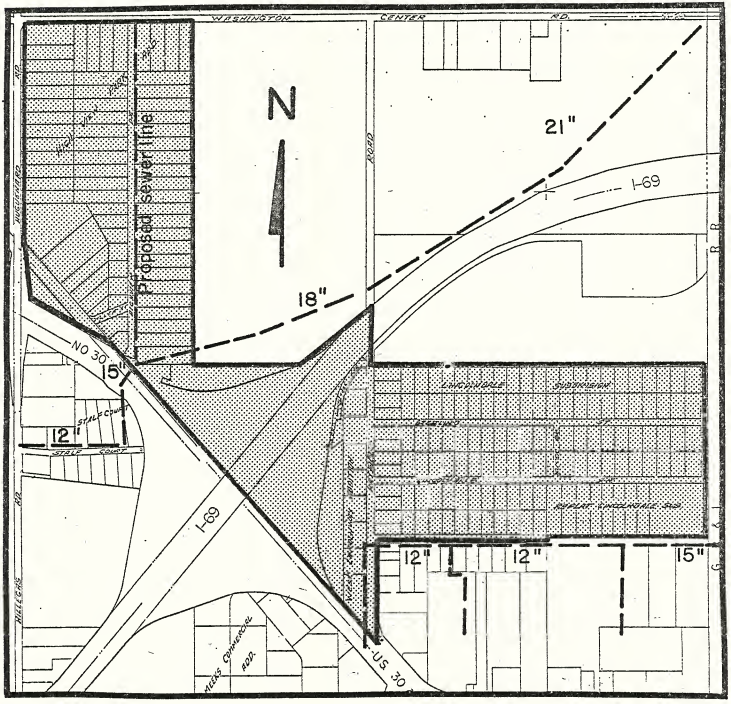
---

1 Memorandum from Everett Kiester, Allen County Board of Health, April 19, 1979.

EXISTING & PROPOSED WATER LINES



EXISTING AND PROPOSED SEWER LINES



1. Storm Sewers

The Fort Wayne Department of Water Pollution Control does not provide storm sewer service to areas outside of the City. At this time, there is no record of a storm drainage system in the Highview area. This means that upon annexation, the installation of a storm sewer system, or the maintenance of any existing system that may already exist within the area, is the responsibility of the property owners.

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the residents of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy that the financing of storm sewers be the responsibility of property owners. Residents can pay through Barrett Law Assessments which allows payment over a 10 year period at an interest rate generally lower than that available in the open market.

When the Board of Works receives a petition from the affected property owners, it will direct the Department of Water Pollution Control to make an investigation of storm drainage conditions. Upon completion of the study, a contract for storm drainage construction may be let by the Board of Works.

8. Revenue

The assessed valuation for the Highview area was determined by obtaining the assessed valuation of each piece of property from the Real Estate Master File System. The land, real estate, and personnel property values for the total annexation area are $502,770.00 Since most residential property owners are eligible for a $1,000 mortgage exemption and there are 114 family residents in the Highview area, $114,000 is deducted from the total assessed valuation. Thus, $388,770.00 is the amount from which Civil City property taxes are computed. The City tax rate for 1979 is $3.9068 per $100.00 of assessed valuation. Therefore, the City would receive from this annexation $15,188.00 (1979 figure) in property tax revenue. The table below illustrates this more clearly:

Assessed Valuation	$502,770
Mortgage Exemption	-114,000
Balance	$388,770

Revenue from taxes = $3.9068 x 388,770 = $15,188.00

The City also receives revenue based on its population size. There are four sources of such revenue from the State of Indiana. These are Motor Vehicle Highway Tax (MVH), Alcoholic Beverage Gallonage Tax, Cigarette Tax and the Cumulative Capital Fund. The table below gives an estimate of the monies to be received.

Revenue Source	Highview Population		Total
MVH	$9.37/capita	391	$3,663
Alcoholic Gallonage	1.62/capita	391	633
Cigarette	1.24/capita	391	485
Cumulative Capital Fund	4.62/capita	391	1,806
		TOTAL	$6,587.00

Allocation of this money is based on the results of the 1980 Decennial Census. Therefore, Highview would have to be annexed by December 31, 1979 for this money to be available to the City in the 1980's.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Funds is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of Highview cannot be calculated. Still, these funds should increase with population increases.

9. Expenditures

Expenditures reported in the Municipal Services section are summarized here. These are considered maximum costs. Since Highview's needs

will be treated equally with needs in the community, capital improvement projects such as street lighting, must follow routine City procedures which often require petitioning and implementation as funds become available.

Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

Service	Capital Cost	Operating Cost
Police	0	$ 9,037
Fire	0	148.
EMS	0	800
Solid Waste Collection	0	4,563.
Traffic Control	$ 2,839	0
Street Lighting		
Intersections	4,950	198
Total Residential	0	0
Arterial & Collectors	0	0
Street Maintenance	0	7,700
Parks	0	245
Fire hydrants	0	0
Water	0	0
Sewer	0	0
Storm	0	0
	$7,789	$22,692.

10. Five Year Summary

The Five Year Summary shows year by year expenditures for the first five years after annexation compared with the tax revenue the City will receive from the area.

The Five Year Summary includes the estimated costs for providing necessary services such as police and fire protection, emergency medical service, solid waste collection, traffic control, and street maintenance. These services are considered essential for the health and safety of the residents of the area and are provided immediately upon annexation.

Another cost that is not an automatic one, but nevertheless is expected to be incurred, is the cost for intersection street lighting. Administrative costs are not included as increased expenses and not anticipated even though all administrative services will be available to the area. Other costs which were not included were for items that cannot be undertaken until they are petitioned for by the residents. Some of these items are utility and street improvements and street lights, excluding intersection lights. Alternatives #1 and #2 show the revenue and expenditures expected by the City.

Alternative #1 includes State revenues that will be received if the area is annexed before January 1, 1980. Alternative #2 illustrates the revenues and expenditures expected if the area is annexed after January 1, 1980.

ALTERNATE I

Annexation Effective December 31, 1979

Year	Expenditures	Property Tax Revenue	Population Based Revenue	Balance Total
1980	$22,494	$ 0	$ 0	-$22,494
1981	$32,781	$15,188	$6,587	-$11,006
1982	$25,835	$15,188	$6,587	-$ 4,060
1983	$27,566	$15,188	$6,587	-$ 5,791
1984	$29,413	$15,188	$6,587	-$ 7,638

ALTERNATE II

Annexation Effective January 1, 1980

Year	Expenditures	Property Tax Revenue	Population Based Revenue	Balance Total
1980	$22,494	$ 0	$ 0	-$22,494
1981	$32,781	$15,188	$ 0	-$17,593
1982	$25,835	$15,188	$ 0	-$10,647
1983	$27,566	$15,188	$ 0	-$12,378
1984	$29,413	$15,188	$ 0	-$14,225

Expenditures for 1980 in both alternatives include all operating costs that are automatic upon annexation. Capital expenditures are made in the second year. The third year and thereafter, the only costs are operational ones. All costs include a 10 percent inflationary factor for each year since the date of this report. (1979)

Property taxes would not be collected until 1981 for both alternatives if the area is annexed by December 31, 1979 or anytime before March 1, 1980. Taxes would be assessed on March 1, 1980 and payable in 1981. If the area is not annexed before March 1, 1980, it is recommended that annexation occur January 1 of the designated effective year. Population based revenue from the State will be accrued to the City only in Alternative #1 because the annexation would occur before January 1, 1980.

Additionally, utility service is not paid for by tax revenues. There-

fore, it cannot be determined when or even if the expenses will be incurred. However, Highview will be treated equally with other areas of the City with regard to the provision of these services, and all City Administrative functions.

1. Indiana Annexation Statutes

In order for the City to successfully annex an area, it must meet the necessary criteria for annexation as established by the Indiana Statute, I.C. 18-5-10-25. The statute states that:

A. "At least one-eighth (1/8), of the aggregate extend boundaries of the area sought to be annexed coincide with the boundaries of the annexing city."

The Highview Annexation area is forty-four percent (44%) continguous to the existing corporate limits.

B. (1) "The resident population of the area sought to be annexed is equal to at least three (3) persons for each acre of land included within its boundaries"....

or

(2) "The land is zoned for commercial, business, or industrial uses."

or

(3) Sixty percent (60%) of the land therein is subdivided.

The Highview Annexation Area is approximately 66.5% subdivided and therefore meets criteria B. (3), above.

C. "The annexing city has developed a written fiscal plan and has established a definite policy, by resolution of the common council, as of the date of passage of the annexation ordinance, showing:

(1) the cost estimates of planned services to be furnished to the territory to be annexed;
(2) the method or methods of financing the planned services;
(3) the plan for the organization and extension of services;
(4) that planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services which are normally provided within the existing corporate boundaries, will be provided to the annexed territory within one (1) year from the effective date of annexation, and that they will be provided in a manner which is equivalent in standard and scope to those noncapital services provided to areas within the annexing city which have similar topography,

patterns of land utilization, and population density; and

(5) that services of a capital improvement nature, such as street construction, street lighting, sewer facilities, water facilities, and storm water drainage facilities, will be provided to the annexed territory within three (3) years of the effective date of the annexation, in the same manner as those services are provided to areas within the annexing city which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and
(6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation, but nothing herein shall require the annexing authority to hire any employees."

This document is the written fiscal plan which establishes a definite policy for providing municipal services to the Highview Annexation Area within the specific time limits, as required by the Indiana Code. Once the annexation is passed by the Common Council, this document will be adopted and become an official document of the City.

Police and fire protection, emergency medical services, solid waste collection, and traffic control services are considered essential for the health and safety of the Highview Annexation Area residents and will be available at standard levels upon annexation. The City will also take over street maintenance. These are the non-capital services which are normally provided within the existing corporate boundaries. These will be at standard within one year of annexation.

Street and street lighting improvements will be provided on the basis of need, community priority, funding availability, and property owner petitioning and participation as described in the municipal services section of this plan. However, intersection lights are provided automatically unless not desired by the area's residents. Service provision will be in accordance with regular City capital improvement planning and implementation process. City Utilities has the capacity to serve the Highview area. Water and sewer lines can be extended from existing mains to serve the area. Residents will receive these services when they petition for them and agree to pay their share of the cost. Storm drainage improvements also require resident petitioning and participation. These services of a capital improvement nature will be provided in the same manner as those services are provided to areas within the City of Fort Wayne.

Those capital improvement services which are automatic (that is, they do not require petitioning) will be provided within three years of the effective date of annexation. These include traffic control signs, signals, etc. and intersection lights as long as it is still the standard policy of the City to provide a light at every intersection.

The cost estimates of the planned services were obtained from the service departments and are included in this document. The method

or methods of financing for each service is also included, as well as the plan for the organization and extension of services.

The Financial Summary shows the cost of providing these services as well as the revenue the City will receive. The cost of services not requiring resident petitioning are compared with the potential revenue for the City in the Five Year Summary. Services such as street and road construction, street lighting for the entire addition, as well as utility services cannot be compared against potential revenue because these services require petitioning. Therefore, it cannot be determined when, or even if, the expenses will be incurred. However, the Highview Annexation area will be treated equally with other areas of the City with regard to the provision of these services.

This annexation will not eliminate the jobs of any employees of other governmental entities, so no plans for the hiring of such employees are necessary.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes:

A. The area proposed for annexation must have a unity of interest with the municipality.

The Highview Annexation area is actually a part of the Fort Wayne urban community. Residents share recreational and commercial facilities with city residents. The City, in return, shares its commercial and recreational facilities with the residents in the Highview Annexation area. In addition, many residents of the proposed annexation area depend on the City for their livelihood since they are employed within the City of Fort Wayne.

B. The advantages to the proposed annexation area must outweigh the disadvantages.

Advantages for the annexation area include the provision of municipal services, the acquisition of a voice in City Government by the residents, and the community benefit of a more equitable tax system. Also, Barrett Bonding for capital improvements will be available. This will facilitate the process for obtaining City sewers, which the Highview Annexation residents need. The only major disadvantage to residents is the increase in property taxes necessary to pay for the increased municipal services.

C. The advantages to the City must outweigh the disadvantage.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation of this area would eliminate the already existing tax inequities for urbanites. City residents pay City and County taxes which help support services to the growing urbanized county residents. Yet, urban county residents

do not pay city taxes to support the services they are using. Therefore, annexation is a means to insure that all urbanites share equally in the cost of urban services. Annexation will also facilitate the thorough and efficient provisions of urban services.

D. The deficit of income against expenses to the City must not be unreasonable.

As shown in the fire year summary, there is a deficit in the first year of approximately $22,500.00. However, the deficit will drop considerably in the third year to about $10,600 if the area is annexed after Jaunary 1, 1980. The deficit is even smaller if the area is annexed before December 31, 1979 to about $4,000. Furthermore, the additional amount of revenue that can be received from general obligation and redevelopment bonds would make the deficit even smaller.

E. The City must desire to annex the area.

The Highview Annexation area is a logical extension of the City since it borders the City on three sides. Most importantly, the annexation is a vital link to areas north and northwest that are developing for industrial uses. The annexation of these areas, particularly Edgewood Industrial Park, is a must for the City to help preserve its tax base and to maintain economic vitality for the City in general. However, before these areas can be annexed, the Highview area must become part of the City.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne as it meets both legal and local criteria for an acceptable and beneficial annexation.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

board of public works

DATE MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

July 26, 1979

Citizens Cable of Allen County, Inc.
401 Broadway
New Haven, Indiana 46774

Attention: John F. Bonsib, President

Dear John:

The Board of Public Works cannot approve the rate increase requested in your letter of July 16. The granting of the franchise to your corporation as a result of your agreement with Citizens Cable of Fort Wayne, Inc., was with the same provisions listed in General Ordinance G-27-77.

This ordinance contains an approved rate for the City of Fort Wayne and to separate the city into sections with different rates would certainly be discriminatory.

Therefore, the Board of Public Works, by this letter, is fulfilling its obligation of notification as outlined in Item J-(2) of said ordinance and by copy of this letter is so informing the Fort Wayne Common Council.

Very truly yours,

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Henry F. Wehrenberg, Chairman

Ethel H. LaMar, Member

Max Scott, Member

Attest: Charles Westerman

cc: Common Council

HPW:pl

AN EQUAL OPPORTUNITY EMPLOYER

PETITION

TO THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

We, the undersigned voters of the City of Fort Wayne, respectfully request that the Common Council of the City of Fort Wayne acquire, purchase, and/or condemn the presently-operating electric utility system, in order to, in its place, establish, hold and operate a municipally-owned electric utility.

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

STATE OF INDIANA)
)
COUNTY OF ALLEN) SS:
)
CITY OF FORT WAYNE)

CERTIFICATION CERTIFICATE OF PETITION FOR A REFERENDUM, 1979

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, hereby certify that I am the Clerk of the Common Council of the City of Fort Wayne, Indiana; and that the foregoing copy of a certification statement of the total sheets consisting of 265 pages and signatures thereon in the total number of 6,857 have been checked by my office from the official registration files of the City of Fort Wayne, Indiana. Said, statement shows:

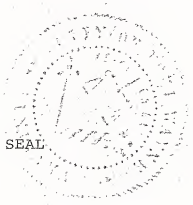
NUMBER OF SIGNATURES REGISTERED TO VOTE	4020
NUMBER OF SIGNATURES NOT REGISTERED TO VOTE	2171
ADDRESS DIFFERENCE	202
TOWNSHIP ADDRESSES OUTSIDE CITY OF FORT WAYNE	305
NAME DIFFERENCE FROM VOTER'S REGISTRATION	99
NAMES DISQUALIFIED BECAUSE FILED ON WRONG PETITION	60

The required number of petitioners is 2,684, according to IC 8-1-2-99, which states that 5% of the vote cast for all candidates for municipal clerk at the last preceeding municipal election is required to require the Common Council to order such election. Excerpts and certification are also attested on the 3rd day of August, 1979, by Republican Board Member, Patricia L. Steigerwald, and Democrat Board Member, Lenna M. Rockstroh. Said petition was received and recorded in the Office of the City Clerk of Fort Wayne,

Indiana, on the 24th day of July, 1979. The certification of this petition will be presented to the Common Council of the City of Fort Wayne, Indiana, on the 7th day of August, 1979, at 7:30 P.M. It will then be made a matter of record in regular session of the Common Council at its' next regular session.

I hereby attest that the true and correct exhibits of the counting of said petition will on order of said Common Council be delivered to the Allen County Election Board, Room 200A, Courthouse, Fort Wayne, Indiana, to prepare a referendum pursuant to IC 8-1-2-99.

WITNESS MY HAND AND THE SEAL OF THE CITY OF FORT WAYNE, INDIANA, THIS 7th DAY OF AUGUST, 1979.



SEAL

Charles W. Westerman

Charles W. Westerman
Clerk of the Common Council of the
City of Fort Wayne, Indiana

CERTIFICATION STATEMENT

The total Sheets consisting of 265 pages and signatures in the total amount of 6,857 are according to the official registration files of the city of Fort Wayne, Indiana.

NUMBER OF SIGNATURES REGISTERED	4020
NUMBER OF SIGNATURES NOT REGISTERED	2171
ADDRESS DIFFERENCE	202
TOWNSHIP ADDRESSES	305
NAME DIFFERENCE	99
NAMES DISQUALIFIED	60

Witness our hands and official seal this 3rd day of August, 1979.

Patricia L. Steigerwald
Republican Board Member

Democratic Board Member

SEAL:

Total 2,684

ALLEN COUNTY ELECTION BOARD

PHONE 423-7329
ROOM 200A, COURTHOUSE
FORT WAYNE, INDIANA
46802

July 20, 1979

TO WHOM IT MAY CONCERN:

I, hereby, certify that the Official tabulation of votes cast for City Clerk in the City of Fort Wayne, Indiana, held on November 4, 1975 are as follows:

Ted W. Butz, Republican, 24811.

Charles W. Westerman, Democrat, 28871.

Sincerely,

Patricia Conrad

Miss Patricia Conrad
Secretary Allen County
Election Board

RAMON S. PERRY
REPUBLICAN MEMBER

MICHAEL C. DOWNS
DEMOCRATIC MEMBER

PATRICIA CONRAD
SECRETARY

LOUANN GRIFFITHS
CHIEF DEPUTY

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

August 13, 1979

Mr. W. G. Schnizer, Controller
of the City of Fort Wayne
City-County Building
Fort Wayne, In. 46802

Dear Mr. Schnizer:

At one of the sessions of the Common Council, discussion was raised by property owners in the Ardmore Area concerning possible relief to those property owners unable to pay at this time for their share of the cost of furnishing city sewers to said area.

You mentioned that there was a revolving fund of some sort created by the new Barrett Law bond procedures and that you would look into the utilization of these funds to afford the relief requested.

In line with our understanding we respectfully request that you check this matter out and report to the Common Council at the earliest date convenient, so that this matter may be disposed of.

Yours very truly,

Charlie Westerman

Charles W. Westerman,
City Clerk
cww/ms

MR PRESIDENT

JUDGE LOGAN HAS STATED THAT IN HIS OPINION THAT THE PETITIONS CIRCULATED BY AMP FOR SIGNATURE DID NOT SUFFICIENTLY DEFINE THE ISSUE TO BE CONSIDERED TO PERMIT THE SIGNERS THEREOF TO KNOW WITHIN REASONABLE LIMITS THE NATURE OF THE RESULTS OF THE PROPOSED ACTION, AND THEREFORE DOES NOT MEET THE SPECIFICITY REQUIREMENTS OF A LEGAL PETITION AS REQUIRED BY LAW AND ~~IT~~ IS THEREFORE ILLEGAL.

I MOVE THAT THE COUNCIL CONCUR IN THE JUDGES OPINION BE CONCURRED IN AND THAT THEREFOR NO ACTION SHOULD BE TAKEN.

FRED HUNTER

seconded by D. Schmidt

Yes 4 no motion defeated

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M.,E.S.T.

DATE: _____ _____
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	4	4			
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES		✓			
NUCKOLS					
SCHMIDT, D.	✓				
SCHMIDT, V.		✓			
STIER		✓			
TALARICO		✓			

DATE: _____ _____
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19__.

ATTEST: (SEAL)

_____ _____
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19__, at the hour of _____ o'clock ____ M.,E.S.T.

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 19__, at the hour of _____ o'clock _____ M.,E.S.T.

_____
MAYOR

24 11

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesay the 14th day of August, 19 79 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 20th day of August, 19 79.

Charles W. Westerman

Charles W. Westerman
City Clerk